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FILED VIA ECF

Hon. P. Kevin Castel
United States District Judge
United States Courthouse
Southern District of New York
500 Pearl Street
New York, New York 10007

May 18, 2021

United States v. Mauricio HERNANDEZ-PINEDA
15 Cr. 379 (PKC)

Dear Judge Castel:

As counsel of record for Mr. Hernandez-Pineda in this matter, I am writing to request an adjournment of the next conference in this matter, currently scheduled for June 8, 2021. The government is not opposed. The reason for my request is owing, primarily, to a scheduling conflict which now requires me to appear in another District on the same date.

By way of explanation, I am counsel to a defendant in an unrelated matter currently pending in the District of Puerto Rico, docketed as 17 Cr. 622 (FAB). That matter has had just over 100 defendants. My clients is one of some twenty-six (26) defendants who have yet to file a Motion for Change of Plea, although plea discussions are ongoing. This past week, the presiding judge, Judge Besosa, has ordered the attorneys representing the similarly-situated defendants, myself included, to appear in-person before him in Puerto Rico on the same day as I am currently scheduled to appear before this Court.

Given the number of attorneys involved in the Puerto Rico matter, requesting another date there appears to be out of the question. Accordingly, I am reluctantly making that request here. Ordinarily, I would ask the Court to adjourn the conference here for a relatively brief period, but, having conferred with counsel for the government, we would respectfully suggest adjourning for sixty (60) days for the following reasons.

First, discovery review is ongoing but at an early stage. Since we last appeared before the Court on April 7, 2021, Mr. Hernandez-Pineda received a copy of the discovery so far produced last week. The delay in getting this to him is due to the technical difficulties in duplicating the approximately 1TB of data in a format that was both manageable for Mr. Hernandez-Pineda and acceptable to the institution where he is now housed. This was further compounded by his being transferred from one facility to another.

Accordingly, Mr. Hernandez-Pineda and I are only now in a position to begin the process of reviewing the discovery together, and I can already advise the Court that there are documents which will require translation into Spanish. This will all necessitate additional time, as the discovery is very voluminous.

Second, the Court should be advised that the parties have also been engaged in discussions regarding a possible plea that would obviate the need for trial. In that regard, we also received last week from the government a proposed plea agreement, which must also be translated for Mr. Hernandez-Pineda.

For these reasons, we ask that the conference in this matter, currently scheduled for June 8, 2021, be adjourned for sixty (60) days. The government does not object to this request and we would have no objection to an exclusion under the Speedy Trial clock in these circumstances.

Respectfully submitted,



HOWARD LEADER

cc: Jason A. Richman, Esq.
Elinor Tarlow, Esq.
Jacob H. Gutwillig, Esq. (VIA ECF)